

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PENNSYLVANIA PUBLIC SCHOOL	:	
EMPLOYEES' RETIREMENT SYSTEM,	:	11-CV-00733 (WHP)
individually and on behalf of all others	:	
similarly situated,	:	
	:	
Plaintiff,	:	
	:	
v.	:	JOINT STATUS REPORT
	:	CONCERNING DISCOVERY
BANK OF AMERICA CORPORATION, et al.,	:	
Defendants.	:	
	:	
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Lead Plaintiff, Pennsylvania Public School Employees' Retirement System ("Lead Plaintiff" or "PSERS"), and Defendants Bank of America Corporation, Brian T. Moynihan, Charles H. Noski, Kenneth D. Lewis, Neil Cotty and Joe L. Price (collectively "Defendants"), by their counsel, respectfully submit this Joint Status Report Concerning Discovery.

1. On March 25, 2014, the Court issued an Order directing the parties "to submit a joint status report on June 27, 2014."

2. The parties have met and conferred concerning the status report, which they understand to focus principally on the status of discovery. The parties have the following to report to the Court:

a. Document Discovery

- i. Defendants and various other non-parties have produced millions of pages of documents to Lead Plaintiff pursuant to document requests and subpoenas.

- ii. Lead Plaintiff has been analyzing those documents since their production.

b. Deposition Discovery

- i. The parties have worked in good faith to schedule depositions.
- ii. PSERS has completed depositions of two fact witnesses. Both depositions were in Los Angeles, California.
- iii. The parties have scheduled three additional depositions of fact witnesses to occur during July and August. These depositions will be in California and Delaware. The parties are in the process of attempting to schedule additional depositions in July and August.
- iv. The parties have been developing a framework designed to complete the deposition discovery of fact witnesses by December 31, 2014.

3. At this time, the parties do not have additional discovery matters to report that require the attention of the Court.<sup>1</sup>

Respectfully submitted,

/s/ Mark R. Rosen

A. Arnold Gershon (agershon@barrack.com)  
William J. Ban (wban@barrack.com)  
Michael A. Toomey (mtoomey@barrack.com)  
BARRACK, RODOS & BACINE  
425 Park Avenue, 31st Floor  
New York, New York 10022  
(212) 688-0782

Leonard Barrack (lbarrack@barrack.com)  
Mark R. Rosen (mrosen@barrack.com)  
Jeffrey A. Barrack (jbarrack@barrack.com)  
Jeffrey B. Gittleman (jgittleman@barrack.com)  
Chad A. Carder (ccarder@barrack.com)  
Julie B. Palley (jpalley@barrack.com)  
BARRACK, RODOS & BACINE  
3300 Two Commerce Square  
2001 Market Street  
Philadelphia, PA 19103  
(215) 963-0600

*Attorneys for Lead Plaintiff Pennsylvania Public  
School Employees' Retirement System*

/s/ Scott D. Musoff

Jay B. Kasner (jay.kasner@skadden.com)  
Scott D. Musoff (scott.musoff@skadden.com)  
SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP  
Four Times Square  
New York, New York 10036  
(212) 735-3000

Paul J. Lockwood  
(paul.lockwood@skadden.com)  
SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP  
One Rodney Square  
P.O. Box 636  
Wilmington, Delaware 19899  
(302) 651-3000

*Attorneys for Defendant Bank of America  
Corporation*

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<sup>1</sup> In a December 13, 2013 letter to the Court, Defendants asserted a reservation of rights with respect to the issues of law raised in *Halliburton Co. v. Erica P. John Fund, Inc.*, heard by the Supreme Court on March 5, 2014. The Supreme Court issued a ruling in this case on June 23, 2014. Defendants continue to evaluate the significance of the decision in *Halliburton* and to reserve rights and arguments relating to it. Plaintiff believes that the Supreme Court's decision in *Halliburton* requires no change in the pre-trial management of this litigation.

/s/ Jeffrey D. Rotenberg

Patrick J. Smith (patrick.smith@dlapiper.com)

Jeffrey D. Rotenberg

(jeffrey.rotenberg@dlapiper.com)

John M. Hillebrecht

(john.hillebrecht@dlapiper.com)

DLA PIPER US LLP (NY)

1251 Avenue of the Americas

New York, New York 10020

(212) 335-4500

*Attorneys for Defendant Brian T. Moynihan*

/s/ Adam Jay Wasserman

Robert Jeffrey Jossen

(robert.jossen@dechert.com)

Adam Jay Wasserman

(adam.wasserman@dechert.com)

Katherine Keely Rankin

(keely.rankin@dechert.com)

DECHERT LLP

1095 Avenue of the Americas

New York, New York 10036-6797

(212) 698-3500

*Attorneys for Defendant Charles H. Noski*

/s/ Ada Fernandez Johnson

Colby A. Smith (casmith@debevoise.com)

Ada Fernandez Johnson

(afjohnso@debevoise.com)

DEBEVOISE & PLIMPTON (DC)

555 13th Street, N.W.

Washington, D.C. 20004

(202) 383-8000

*Attorneys for Defendant Kenneth D. Lewis*

/s/ Brian Marc Burnovski

Lawrence Jay Portnoy (portnoy@dpw.com)

Brian Marc Burnovski

(brian.burnovski@dpw.com)

Charles S. Duggan (charles.duggan@dpw.com)

DAVIS POLK & WARDWELL LLP

450 Lexington Avenue

New York, New York 10017

(212) 450-4000

*Attorneys for Defendant Neil Cotty*

/s/ Richard Harper

Richard Harper

(richard.harper@bakerbotts.com)

BAKER BOTTS LLP (NY)

30 Rockefeller Plaza

44th Floor

New York, New York 10112

(212) 408-2675

Julia Guttman (julia.guttman@bakerbotts.com)

BAKER BOTTS LLP (DC)

1299 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

(202) 639-7700

*Attorneys for Defendant Joe L. Price*